APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,934	10/19/2004	Petri Ahonen	879A.0118.U1(US)	2516

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EXAMINER
ARMOUCHE, HADI S

ART UNIT	PAPER NUMBER
2132	

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03/03/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.
10/511,934</td><td>Applicant(s)
AHONEN, PETRI</td><td></td></tr>
<tr><td>Examiner
HADI S. ARMOUCHE</td><td>Art Unit
2132</td><td></td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>19 October 2004</u>.

2a) ☐ This action is **FINAL**.　　　　2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-6</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-6</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>19 October 2004</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☒ All　b) ☐ Some * c) ☐ None of:

　　　1. ☒ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
　Paper No(s)/Mail Date <u>10/19/2004 and 2/12/2008</u>.

4) ☐ Interview Summary (PTO-413)
　Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Walter et al.

(US 6,151,677) referred to hereinafter by Walter.

3.   Regarding claim 1, Walter teaches a *system in a digital wireless data*

communication network for arranging end-to-end (e2e) encryption, especially for

communication in audio form, in which data communication network two or more pieces

of terminal equipment communicate with one another [abstract], *including at least*

        a codec to convert an audio signal into a dataflow and vice versa [col 3, lines 28-

33],

        air-interface encryption means [col4, lines 40-53],

        means for management of encryption parameters (identification code) *stored in*

connection with the terminal equipment [col3, lines 38-45],

        an encryption key stream generator KSG to generate a key stream

segment (KSS) with the said encryption parameters [col5, lines 49-52],

means for encrypting a dataflow and for decryption of the encryption with the generated key stream segment [col6, lines 54-61],

means for synchronization of the encrypted dataflow and for de-synchronizing the synchronization [col 7, lines 43-47], *and*

at least one interface (identification code input means) *for receiving the encryption parameters from the data communication network* [claim 1],

and wherein at least one of the pieces of terminal equipment belonging to the data communication network is fitted to function as a special server terminal device, which manages and distributes at least the encryption parameters concerning the data communication network to the other pieces of terminal equipment based on an established criterion, characterized in that

in the data communication network a special server terminal device is also arranged, which is arranged to manage at least encryption and/or synchronization applications and to distribute these based on an established criterion to the other pieces of terminal equipment [col 2 lines 38-44] *and*

functionalities are arranged in the terminal equipment for downloading and managing the said applications and data memory for storing the applications and a processor and operating memory for carrying out the applications [col 3, lines 38-45].

4.   Claims 1, 4 and 5 are rejected under 35 U.S.C. 102(a) as being anticipated by

Relander et al. (US 2002/0066012) referred to hereinafter by Relander.

5.   Regarding claim 1, Relander teaches a *system in a digital wireless data*

communication network for arranging end-to-end (e2e) encryption, especially for

communication in audio form, in which data communication network two or more pieces

of terminal equipment communicate with one another [abstract], *including at least*

         a codec to convert an audio signal into a dataflow and vice versa [paragraph

0026],

         air-interface encryption means [paragraph 0002],

         means for management of encryption parameters (initialization vector IV) *stored*

in connection with the terminal equipment [paragraph 0032],

         an encryption key stream generator KSG to generate a key stream

segment (KSS) with the said encryption parameters [paragraphs 0006, 0026 and

0032],

         means for encrypting a dataflow and for decryption of the encryption with the

generated key stream segment [equation in paragraph 0026],

         means for synchronization of the encrypted dataflow and for de-synchronizing

the synchronization [abstract and paragraph 0007], *and*

         at least one interface (terminal) *for receiving the encryption parameters from the*

data communication network [paragraph 0006],

and wherein at least one of the pieces of terminal equipment belonging to the data

communication network is fitted to function as a special server terminal device, which

manages and distributes at least the encryption parameters concerning the data

communication network to the other pieces of terminal equipment based on an

established criterion, characterized in that

> *in the data communication network a special server terminal device is also*

arranged, which is arranged to manage at least encryption and/or synchronization

applications and to distribute these based on an established criterion to the other

pieces of terminal equipment [paragraphs 0006 and 0007] *and*

> *functionalities are arranged in the terminal equipment for downloading and*

managing the said applications and data memory for storing the applications and a

processor and operating memory for carrying out the applications [paragraph 0009].

6.   Regarding claim 4, Relander teaches a *system characterized in that downloading*

of applications at the terminal equipment is arranged to take place in a self-organizing

manner, such as, for example, as SDS (Short Data Service) messages [paragraphs 008

and 0037 where the packets received are re-arranged to the original data sent].

7.   Regarding claim 5, Relander teaches a *digital wireless terminal equipment, to*

which functionalities belong, at least

> *a module for carrying out encryption* [paragraphs 0006 and 0026],

one or more modules for carrying out synchronization [abstract and paragraph

0007], *and*

    a module for receiving and managing at least encryption keys, characterized in

that the functionality of at least one module is adapted for implementation with a

dynamic (continuous) *application based on a program* [paragraphs 0006,007 and

0026].

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 2, 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Relander in view of Papineau (US 7,092,703).

10.   Regarding claim 2, Relander does not explicitly teach that the *system is adapted*

with the said processor to run applications according to the J2ME (Java 2 Platform

Micro Edition) specification.

    Papineau teaches that the *system is adapted with the said processor to run*

applications according to the J2ME (Java 2 Platform Micro Edition) specification [col 2,

lines 9-19 and 31-40].

It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to run application according to J2ME in Relander's system/phone

as taught by Papineau. The suggestion/motivation would have been to run application

in mobile devices that implement J2ME since they are memory constraint and have

limited processor [Papineau, col 2, lines 41-52].

11.   Regarding claim 3, Papineau teaches that the *system is configured in*

accordance with the MIDP (Mobile Information Device Profile) specification [col 2, lines

53-58].

12.   Regarding claim 6, Papineau teaches that the *terminal equipment, including at*

least a SIM module, characterized in that the said application is adapted to arrange

command functionality at least at the interface between the SIM module and the

terminal equipment through the programming interface (MIDP API) of the application

[col 2, lines 53-58].

Conclusion

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to HADI S. ARMOUCHE whose telephone number is
(571)270-3618. The examiner can normally be reached on M-Th 7:30-5:00 and Fridays
half day.
If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number
for the organization where this application or proceeding is assigned is 571-273-8300.

   Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see http://pair-direct.uspto.gov. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a
USPTO Customer Service Representative or access to the automated information
system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. S. A./
Hadi S Armouche
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